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***"For The People"*** (TM)

**Peoples Network, Inc.**

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**White Springs, Florida 32096**

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Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
Mass Media Services  
1919 M Street, N.W.  
Room 222  
Washington, DC 20554

February 16, 1998

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FEDERAL COMMUNICATIONS COMMISSION

Dear Ms. Salas:

Transmitted on behalf of Peoples Network, Inc. (PNI) and American Community Oriented Radio Network, Inc. (ACORN) is an original and 14 copies of Comments to be associated with MM Docket No. 97-234, GC Docket No. 92-52 and GEN Docket No. 90-264.

In addition, a self-addressed stamped envelope is provided for return of the "stamp and receipt" copy.

If any questions should arise concerning this matter, please communicate with the undersigned.

Sincerely,



Chuck Harder  
Founder

Enclosures

Sent By Express Mail dated: Feb. 16, 1998

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
)  
Implementation of Section 309(j) ) MM Docket No. 97-234  
of the Communications Act )  
-- Competitive Bidding for Commercial )  
Broadcast and Instructional Television )  
Fixed Services Licenses )  
)  
Reexamination of the Policy Statement ) GC Docket no. 92-52  
on Comparative Broadcast Hearings )  
)  
Proposals to Reform the Commission's ) GEN Docket No. 90-264  
Comparative Hearing Process to Expedite )  
the Resolution of Cases )

To: The Commission

Comments  
of  
Peoples Network, Inc., ET AL.

Comes now Charles E. (Chuck) Harder, President of Peoples Network, Inc. (PNI), in Propria Persona and pursuant to the Notice of Proposed Rulemaking (NPRM), FCC 97-397 (released November 26, 1997) hereby submits these Comments in the above captioned rule-making proceeding. In support hereof, PNI submits the following:

BACKGROUND

1. PNI is a non-profit 501(c)3 corporation serving consumers with news and information that is generally not available via normal "commercial media" which has gravitated to abbreviated news broadcasts if any at all. PNI was organized in 1987 and has served the public with broadcasts via its own satellite talk-radio network

with programs since 1987. These broadcasts are informative and educational and PNI has assisted the authorities with information that has resulted in those authorities issuing fines, cease and desist orders and on several occasions the arrest and prosecution of those persons responsible for criminal activities. PNI informed the authorities and the FCC about the operations of broadcaster **Sonny Bloch** many years prior to his arrest and criminal conviction.

2. PNI has provided broadcast time on its satellite channels and syndicated shows to various consumer advocates and authorities since 1987. Most notable is the ongoing weekly broadcast interview for **11 years** with **Ralph Nader** and **Chuck Harder** discussing consumer affairs and items that impact the prospective advantage of the American public.

3. Through its for-profit division: American Community Oriented Radio Network, Inc. (ACORN), we are the licensee of WFVR-AM, Valdosta, Georgia, and WNTF-AM Bithlo, Florida. Both stations have construction permits filed that have been “frozen” by this and various other recent FCC actions. Such “freeze” is causing serious financial hardship to PNI which is the non-profit parent. (This corporate relationship was established so that any unrelated business-income would be fully taxed by the IRS and not an issue with the IRS.)

4. PNI is aware of comments filed by POSITIVE ALTERNATIVE RADIO, INC. ET AL., as filed January 20, 1998 and we support those comments in their entirety.

5. PNI sees the broadcast situation today as generally a disaster regarding the public interest. Example: Our syndicated satellite-delivered radio broadcast “For The People” <sup>(TM)</sup> was carried on radio station KNWZ at Palm Desert, California since 1987. Although the broadcast had excellent ratings, KNWZ was purchased as part of the ongoing “consolidation” in this industry. The new owner dropped the

program without customary notice and began running it on tape-delay on another station owned by the new consolidated group. Although thousands of calls came into the station the new owners changed the format of the station from news/talk to all sports. The public was furious but the owners did as they desired. Service to the public was apparently not a consideration. Instead, removing our broadcast that conflicted with Rush and Dr. Laura on their other talk station seemed to be the motive. Please see memo attached from Lou Penrose of KNWZ to Chuck Harder on September 19, 1997 prior to the sale and program changes.

6. The Commission needs to be aware of the vertical-integration of the industry and total lack of diversity. As the broadcast giants own hundreds of stations, networks, and rep-firms - it is plainly clear that an independent like us will be squeezed-out of the marketplace. Cities like Tampa, Florida are so controlled that there is little hope of our broadcast ever being heard there again on the radio dial although it is my home-town and our broadcast had top ratings a few years ago!

7. As a strategy for serving the public we acquired (via our ACORN division) two distressed AM properties. WNTF, Bithlo, Florida near Orlando was tied-up with red-tape by the Orange County Commission that did not want new radio towers erected. After one year and providing co-location agreements our permit to erect a tower was granted. Finally, ready to improve the service to the public we now find that our Construction Permit with the FCC is frozen and we could face an "auction" process to utilize our licensed facility! We think all this is unfair.

8. We have filed to "move and improve" WFVR 910 AM from Valdosta, Georgia to a site near the intersection of I-75 and I-10 in Northern Florida. The application asks for 50,000 watts day and 5,000 watts night - directional day and night and is supported by engineering submitted by Mr. Clarence Beverage of Communications Technologies, Inc., of Marlton, New Jersey. The new CP if granted will allow WFVR to greatly expand coverage while still serving the

current broadcast area. With the new location the coverage will provide some 33 million people yearly with hours of listening time along I-75, I-10, and I-95. We hope that such a sampling of our broadcasts to this audience will allow us to expand as travelers return home and contact local stations telling them of our programming. The current freeze on both our CP's is creating a terrible hardship as the facilities need to be developed in order to succeed and serve the public.

9. The FCC should contemplate ways to improve diversity of the medium by establishing a low-power community service for AM and FM that would be easily licensed and inexpensively constructed. Such facilities could then be "dropped-in" to service communities that are now under the "umbrella" of the 100 thousand-watt jukeboxes that provide little other than "20 hits in-a-row, time and temperature." Worse, this rush to consolidation has resulted in the elimination of jobs and broadcast opportunities as the chain-owned stations cut staff and use their own centrally fed programming via satellite to reduce payroll and handle the new debt service. With no requirement for news or public service, and with virtually "bullet-proof" licenses and automatic renewals, do these stations have concern about the public or their community? We think that only the bottom-line is their concern and the Commission is enabling that process to accelerate at warp-speed.

10. With sweat, night-work, and endless efforts PNI and ACORN has found opportunities to file applications for new AM radio stations. These stations would carry our public-service talk-programming and allow needed circulation. Now the commission has created a new nightmare. Our efforts to file new applications could result in giant corporations reviewing our efforts and then cashing-in on them by outbidding us at auction. This is a violation of the most basic common-law. **"No man should be unjustly enriched at the expense of another!"**

11. "When you remove the salt the meat will spoil," is an old saying that typifies what is happening today. Without regard for decency, public service, or

news-commitment we have a broadcast industry that swirls around the ethics and morals of Howard Stern. With deep-pockets, the super-rich conglomerates simply pay the fines and up-the-rates. Consolidation has provided an atmosphere that is resulting in "The cable-ization of radio." Just like cable-TV where the inter-locked corporations decide who gets "on the local cable" and who doesn't, we're seeing those with cross-ownership or some sort of cross-connections gobbling up stations across the USA like the release of some sort of biological weapon. One wonders if the Federal Trade Commission will ever awake to this disaster?

12. As a child, I grew up in the Chicago, Illinois suburbs. As a teenager I listened to WLS, Chicago and WGN, Chicago. That was back when there was a commitment to news and public service. Therefore the other kids in my age group were all exposed to news and current events. The music stopped and they did listen to the news. Today, the music never stops and youngsters don't have a clue as to current-events or who's the Vice-President of the United States!

13. The Telecommunications Act of 1996 was indeed an Act of Congress. However we feel that Congress would take input from the FCC. The act as it relates to station ownership and trafficking is a disaster for diversity and the public-interest.

12. We support the comments filed by THE ASSOCIATION OF FEDERAL COMMUNICATIONS CONSULTING ENGINEERS (AFCCE) on January 26, 1998 in its entirety.

### **Conclusion**

Wherefore, the above premises considered, PNI and ACORN encourage the Commission to support the PAR comments and the above. It is time that the public is again considered and served - and the Commission needs to again become the "salt" that guides the industry. The Commission should provide for fairness and opportunity for independents and non-profits to provide alternative

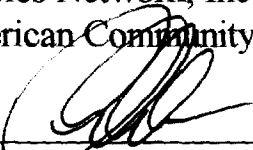
programming and diversity to a "sound-alike" dial that is often filled with gutter-talk, musical-sewage, and senseless babble. Our children and our nation deserve better than the current situation and the proposed rules that will insure broadcasting and radio to a course of consolidation as a mirror-image of M-TV or empty-headed corporate-approved cookie-cutter programming. The commission needs to be a positive guiding-force to an industry that has lost its way and has been overcome with only the lust for profit and the bottom-line as a driving force. The American public deserves better and the Commission is their last hope.

Respectfully submitted.

Peoples Network, Inc.

American Community Oriented Radio Network, Inc.

By:

  
Charles E. Harder

Its President and Chairman

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February 16, 1998

Submitted by Express Mail

